

**FILED**

DEC 12 2017

IN THE UNITED STATES DISTRICT COURT  
 FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLERK U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

Criminal No. 17-335  
(UNDER SEAL)

DEVAN ABRAMS  
 TAMARA FELDMAN  
 a/k/a Tamara Petrova  
 AZAD KHIZGILOV  
 ROMAN SHAULOV

**INDICTMENT MEMORANDUM**

AND NOW comes the United States of America, by its attorneys, Soo C. Song, Acting United States Attorney for the Western District of Pennsylvania, and Brendan T. Conway, Assistant United States Attorney for said District, and submits this Indictment Memorandum to the Court:

**I. THE INDICTMENT**

The grand jury returned a one-count indictment against the above-named defendants for an alleged violation of federal law:

<u>COUNT</u>	<u>OFFENSE/DATE</u>	<u>TITLE/SECTION</u>
One	Conspiracy to Commit Mail, Wire and Bank Fraud In and around a date uncertain in 2013 to in and around February 2017	18 U.S.C. § 1349

**II. ELEMENTS OF THE OFFENSE**

In order for the crime of Conspiracy to Commit Mail, Wire and Bank Fraud, in violation of 18 U.S.C. § 1349 to be established, the government must prove all of the following essential elements beyond a reasonable doubt:

1. That the conspiracy, agreement, or understanding to commit violations of 18 U.S.C. §§ 1341, 1343, and 1344(2) as described in the Indictment, was formed, reached, or entered into by two or more persons.

2. At some time during the existence of the conspiracy, agreement or understanding, the defendant knew the purpose of the agreement, and, with that knowledge, then deliberately joined the conspiracy, agreement or understanding.

O'Malley, et al., 2 Federal Jury Practice and Instructions § 31.03 (2002) (revised to exclude overt act requirement, see Whitfield v. United States, 125 S.Ct. 687, 691 (2005); United States v. Shabani, 513 U.S. 10, 16 (1994)).

### **III. PENALTIES**

**The maximum possible penalties for individuals convicted of Conspiracy to Commit Mail, Wire and Bank Fraud (18 U.S.C. § 1349) are as follows:**

1. Imprisonment of not more than 30 years (18 U.S.C. §§ 1344 and 1349);
2. A fine not more than the greater of;
  - (a) \$1,000,000 (18 U.S.C. §§ 1344 and 1349);

or

(b) an alternative fine in an amount not more than the greater of twice the gross pecuniary gain to any person or twice the pecuniary loss to any person other than the defendant, unless the imposition of this alternative fine would unduly complicate or prolong the sentencing process (18 U.S.C. § 3571(d));

3. A term of supervised release of not more than five (5) years (18 U.S.C. § 3583);
4. Any or all of the above.

**IV. MANDATORY SPECIAL ASSESSMENT**

A mandatory special assessment of \$100.00 must be imposed if the defendant is convicted, pursuant to 18 U.S.C. § 3013.

**V. RESTITUTION**


Restitution may be required in this case, together with any authorized penalty, as part of the defendant's sentence pursuant to 18 U.S.C. §§ 3663, 3663A, and 3664.

**VI. FORFEITURE**

Not applicable in this case.

Respectfully submitted,

SOO C. SONG  
Acting United States Attorney

  
BRENDAN T. CONWAY  
Assistant U.S. Attorney  
PA ID No. 78726

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MOTION FOR ARREST WARRANTS

AND NOW comes the United States of America, by its attorneys, Soo C. Song, Acting United States Attorney for the Western District of Pennsylvania, and Brendan T. Conway, Assistant United States Attorney for said District, and, pursuant to Rule 9 of the Federal Rules of Criminal Procedure, respectfully moves the Court to issue an Order directing that Arrest Warrants be issued for the apprehension of defendants DEVAN ABRAMS, TAMARA FELDMAN a/k/a Tamara Petrova, AZAD KHIZGILOV and ROMAN SHAULOV, upon the grounds that an indictment has been returned in the above-captioned criminal case charging the defendants with Conspiracy to Commit Mail, Wire and Bank Fraud (18 U.S.C. § 1349).

Recommended bond: Detention.

Respectfully submitted,

SOO C. SONG  
Acting United States Attorney

By:

  
BRENDAN T. CONWAY

Assistant U.S. Attorney  
PA ID No. 78726